



PUBLIC NOTICE

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U.S. AND CANADA REACH AGREEMENT REGARDING USE OF THE 220 - 222 MHz BAND ALONG THE U.S./CANADA BORDER

*Non-Nationwide Phase I 220 MHz Licensees Near Border Must Construct and Place into Operation
Base Stations by January 21, 2001*

The Federal Communications Commission, the National Telecommunications and Information Administration, and Industry Canada have signed an interim sharing Arrangement regarding use of the 220-222 MHz band along the U.S.-Canada border. The Arrangement will resolve long-standing uncertainty regarding use of this band in the border area. In addition, by significantly reducing the amount of cross-border coordination required, the Arrangement will allow quick implementation of new services expected to be offered in the band. U.S. licensees along the border whose construction deadlines had previously been delayed pending completion of a U.S.-Canada agreement will now be required to complete construction and commence operation by January 21, 2001.

The Arrangement governs operations in the 220-222 MHz band within 120 kilometers of the U.S.-Canada border. The Arrangement identifies 200 channel pairs within this band and allots each channel pair for primary use by the United States or Canada, or for shared use. Frequencies allotted for primary use by one country may also be used on a secondary basis by the other country provided certain conditions are met. The Arrangement also provides antenna height and power restrictions, and there are special sharing arrangements for certain geographic areas and for low power stations. In addition, the Arrangement provides that, to the extent possible, certain specified channels will be available for implementation of Intelligent Transportation Systems/Intelligent Vehicle Highway System and Public Safety and Mutual Aid services. Beyond 120 kilometers from the border, both countries have full and unrestricted use of all channels in the band.

In commenting on the Arrangement, International Bureau Chief Donald Abelson stated, "This Arrangement builds on the strong cooperative relationship between the U.S. and Canada and encourages prompt provision of new services to the citizens on both sides of the border while protecting licensees and consumers from cross-border interference." This Arrangement was reached as part of an on-going Commission effort to negotiate sharing agreements with Canada and Mexico that will promote efficient spectrum use in border areas.

In 1995, the Commission extended the construction deadline for non-nationwide Phase I 220 MHz licenses that were located north of Line A,¹ near the Canadian border, due to the uncertainties

¹ See 47 C.F.R. § 90.7. Line A is an imaginary line within the United States, approximately paralleling the U.S.-Canadian border, north of which Commission coordination with Canadian authorities in the assignment of frequencies is generally required. It begins in Aberdeen, Washington, running by great circle arc to the intersection

surrounding the future of these licenses prior to reaching an agreement with Canada.² The construction period was extended until twelve months after an agreement was reached between the United States and Canada on sharing the 220-222 MHz band.³ Now that the Arrangement has been realized, any non-nationwide Phase I 220 MHz licensee with a base station authorized at a location north of Line A must construct its base station and place it into operation, or commence service, on all authorized channels by January 21, 2001.⁴ The authorization of a licensee that does not construct its base station and place it into operation, or commence service, by January 21, 2001, cancels automatically on that date and must be returned to the Commission.⁵

The full text of the Arrangement has been placed on file at the International Bureau Reference Room CY-A257, located on the Courtyard level of 445 12th St. S.W., Washington, D.C. Copies are also available from the International Transcription Service at (202) 857-3800 and can be downloaded from the FCC's International Bureau internet site at <http://www.fcc.gov/ib/pnd/agree>.

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of 48°N., 120°W., then along parallel 48°N., to the intersection of 95°W., thence by great circle arc through the southernmost point of Duluth, Minn., then by great circle arc to 45°N., 85°W., thence southward along meridian 85°W., to its intersection with parallel 41°N, thence along parallel 41°N to its intersection with meridian 82°W, thence by great circle arc through the southernmost point of Bangor, Maine, thence by great circle arc through the southernmost point of Searsport, Maine, at which point it terminates.

² See Amendment of Part 90 of the Commission's Rules to Provide for the Use of the 220-222 MHz Band by the Private Land Mobile Radio Service, PR Docket No. 89-552, Implementation of Sections 3(n) and 332 of the Communications Act, Regulatory Treatment of Mobile Services, GN Docket No. 93-252, Implementation of Section 309(j) of the Communications Act – Competitive Bidding, 220-222 MHz, PP Docket No. 93-253, *Second Memorandum Opinion and Order and Third Notice of Proposed Rulemaking*, 11 FCC Rcd. 188, 284-85, ¶¶ 197-198 (1995).

³ See 47 C.F.R. § 90.757(b).

⁴ *Id.*

⁵ *Id.*